

Attachment "A"

On April 27, 2023, Homeland Security Investigations (HSI) led Rio Grande Valley Child Exploitation Investigations Task Force (RGV CEITF) identified a 15-year-old child exploitation victim (hereinafter referred to as minor victim #1 "MV1"). HSI conducted a consensual search of MV1's mobile device. HSI observed a chat communication on the social media application SnapChat between MV1 and the username Imjust*****. HSI identified the owner of Imjust***** through legal process sent to SnapChat, as Santos Emilio MARCIAL-CASTRO, a 30-year-old adult male.

The SnapChat conversation between MARCIAL-CASTRO and MV1 took place between May 7, 2021, and April 25, 2023. MV1 told MARCIAL-CASTRO that she is 13 years old. MARCIAL-CASTRO acknowledged the message and asked how old MV1's boyfriend was. Throughout the conversation, MARCIAL-CASTRO entices MV1 to send several nude images of MV1's vagina and breasts. HSI observed several images of MV1's exposed vagina and breasts.

On May 8, 2023, HSI conducted a forensic interview with MV1. MV1 identified the SnapChat username Imjust***** as a person she knew as "Emilio." HSI showed MV1 a driver's license photo of MARCIAL-CASTRO. MV1 identified MARCIAL-CASTRO as the person in the SnapChat conversation with Imjust*****. MV1 told HSI that MARCIAL-CASTRO asked her to take nude images of her vagina and breasts on several occasions. MV1 stated that she took pictures of her vagina and breast and sent them to MARCIAL-CASTRO. MV1 acknowledge that the pictures saved in SnapChat were of her vagina and breasts.

On June 5, 2023, HSI interviewed MARCIAL-CASTRO at his residence in Edinburg, Texas. During a post Miranda interview, MARCIAL-CASTRO told HSI that his username on SnapChat is Imjust***** and is also known by his middle name Emilio. MARCIAL-CASTRO then invoked his right to remain silent. HSI seized an iPhone found in MARCIAL-CASTRO's possession and MARCIAL-CASTRO claimed ownership to the iPhone. At the HSI Harlingen office, HSI sent 2 test messages from MV1's SnapChat account to Imjust*****. HSI observed the two SnapChat test messages appear in the notification center on MARCIAL-CASTRO's locked iPhone. Coercing and enticing MV1 to send sexually explicit images through the use of online social media, would constitute receipt of child pornography, which is a violation of 18 United States Code Section 2252A(a)(2)(A).